

National NAGPRA Program FY2011 Midyear Report

**Prepared for the NAGPRA Review Committee,
44th meeting, June 21-22, 2001 – Syracuse, New York**

Introduction

This report covers activities of the National NAGPRA Program up to June 1, 2011, just prior to the Review Committee meeting. All statistics reported are current as of close of business, March 31, 2011, the mid-point of the fiscal year 2011, unless otherwise noted. Regular reports on National NAGPRA's work are available on the program's Website: <http://www.nps.gov/nagpra/DOCUMENTS/INDEX.htm>.

The Native American Graves Protection and Repatriation Act (NAGPRA) was enacted on November 16, 1990 to address the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to Native American cultural items, including human remains, funerary objects, sacred objects, and objects of cultural patrimony. The Act assigned implementation responsibilities to the Secretary of the Interior. Staff support is provided by the National NAGPRA Program, including:

- Publishing notices for museums and Federal agencies in the Federal Register,
- Creating and maintaining databases, including the Culturally Unidentifiable Human Remains Inventories (CUI) Database,
- Making grants to assist museums, Indian tribes, and Native Hawaiian organizations in fulfilling NAGPRA,
- Assessing civil penalties on museums that fail to comply with provisions of the Act,
- Providing staff support to the NAGPRA Review Committee and for the Annual Report to Congress,
- Providing technical assistance to Federal agencies where there are excavations and discoveries of cultural items on Federal and Indian lands,
- Promulgating implementing regulations, and
- Providing technical assistance through training, website information, reports prepared for the Review Committee, supporting law enforcement investigations and direct personal service.

The National Park Service has compliance obligations for parks, separate from National NAGPRA. National NAGPRA is the omnibus program, the constituent groups of which are all Federal agencies, museums that receive Federal funds, tribes and Native Hawaiian organizations and the public.

Overview of Nation-wide NAGPRA Implementation

There are several observations which may be made thus far into the fiscal year 2011. In brief they are:

- Museums and Federal agencies, in consultation with tribes and NHOs, continue to be very active in NAGPRA compliance. An indication of this activity is seen in the number of NAGPRA notices published in the Federal Register. Publication for FY2011 remains strong, on par with recent years, and is likely to reach a total of 2,000 notices published in the near future. These notices account for over 40,000 Native American individuals for whom repatriation may occur.
- In this report, and all future reports, the number of Native American individuals for whom transfer of control has passed from museums or Federal agencies to tribes or NHOs is reported. Reported numbers from museums is voluntary, and thus is likely understated. Reported numbers from Federal agencies will become required as of September 30, 2011, and annually thereafter in response to a recommendation made in the GAO report of July 28, 2010.
- Only about one-fourth of the Native American individuals represented in published notices are reported as repatriated to tribes and NHOs. The barriers to repatriation vary and are known only anecdotally at this time. By year end, with more numbers reported, further study can be gauged.
- Tribes and museums report lack of funds as a barrier to NAGPRA consultation and compliance.
- Grant funds for project awards remain a fraction of total requests. Notably, requests for repatriation grants to fund transfer of control have increased by 300% over those of just a few years ago. These are non-competitive awards made prior to apportionment of funds for competitive project grants.
- The National NAGPRA Program now provides web access databases for all compliance documents including CUI inventories, Culturally Affiliated (CA) inventories, summaries, Federal Register notices, Notices of Intended Disposition for Federal Agency action, and the Native American Consultation contact lists, as well as maps and other aides to consultation. Records are continually being added and checked against originator records to refine, update and audit information. Open access to information on these databases had led to increased communication between museums and Federal agencies on collections responsibility, has led to updates of records for better data quality and has supported consultation in which thousands of Native American human remains previously held as culturally unidentifiable have either been amended to culturally affiliated and been included in notices or have been listed in notices for disposition under the new CUI rule, 43 CFR 10.11, which became final one year ago.
- A new project is underway in the National NAGPRA Program to digitize the summaries submitted by museums and Federal agencies to post on the web.
- Greater transparency on NAGPRA through web access data has led to new issues as museums, tribes and Federal agencies further refine the NAGPRA process and approach complex issues.

- Tribes report frustration with the NAGPRA process in those areas where no compliance time frames are indicated in the regulations. Museums report frustration with the restrictive nature of the 90-day rule and any rule which creates tight time restrictions. All parties to the NAGPRA process report confusion on the 90-day rule, as to when it begins and its impact. All parties to the NAGPRA process report confusion with certain definitions and the overlapping responsibilities of “possession or control” of collections. Input is being sought by the National NAGPRA Program for amendments to the regulations, not to add process, but to clarify and give greater guidance on the existing process.
- The GAO report gave close scrutiny to NAGPRA Review Committee selection. Procedures put in place since 2008 have been closely followed by the National NAGPRA Program and the DOI. The Secretary of the Interior receives all nominations for review and takes great interest in the selections. The White House and members of Congress have expressed interest in nominees. All nominations, whether put forth to the Secretary by tribes and Native Hawaiian organizations, national museum and science organizations, or by the Review Committee, receive careful review. That there is great interest in serving on the NAGPRA Review Committee is a credit to the institution and the important role it plays in the process.
- Additionally, in response to the GAO report of July 2010, Federal agencies have taken a close look at the resources needed to fully comply and the time frame in which notices will be published. The Interior Solicitors have issued a memorandum clarifying the application of NAGPRA to ANCSA corporations, giving rise to a pending amendment to the definition of “tribe” in the regulations to conform to the statute.

Collections

The sections of NAGPRA relating to collections describe the inventories, summaries, notices, grants, civil penalties and the Review Committee which further affects the administration of the law.

Inventories/Summaries/Notices

NAGPRA requires Federal agencies and museums that receive Federal funds to inventory collections of Native American human remains and associated funerary objects in consultation with potentially affiliated tribes. Inventories are itemized lists, submitted to the National NAGPRA Program containing cultural affiliation decisions of agencies and museums, one inventory for those individuals for whom cultural affiliation can be determined (CA) and one inventory for those individuals for whom cultural affiliation cannot be determined (CUI). Inventories are then divided into Notices of Inventory Completion (NIC), usually by tribes or by site, for publication in the Federal Register. It is the publication of the notice that establishes the rights of the tribe to request repatriation of culturally affiliated human remains, or disposition of culturally unidentifiable human remains. An NIC is not claims based. An NIC does not presuppose which of the listed tribes will ultimately request the human remains and receive transfer of control.

As of March 31, 2011, National NAGPRA received inventories from 987 institutions (601 museums and 386 Federal agency units). Of these, 451 contain decisions as to cultural affiliation of Native American human remains, and 668 contain listings of culturally unidentifiable Native American human remains. Note: There may be duplication of reporting for collections as the law directs those museums with possession or control of collections to submit an inventory and several museums may have collections belonging to Federal agencies, where both the museum and Federal agency submitted an inventory. Statements of “no inventory required” have been received from 135 museums and 129 Federal agency units.

Prior to repatriating human remains and associated funerary objects, museums and Federal agencies must publish a NIC in the Federal Register. Thirty-eight (38) such notices were published between October 1, 2010 and March 31, 2011, for a total of 1,441 published Notices of Inventory Completion, accounting for 41,278 human remains (an increase of 975) and 1,019,890 associated funerary objects (an increase of 11,996).

The rule for disposition of culturally unidentifiable Native American human remains in CUI inventories became final in March 2010, 43 CFR 10.11. Thus far, there have been 133 minimum number of individuals (MNI) and 391 associated funerary objects (AFO) published in 19 Notices of Inventory Completion.

Summaries of the remainder of the Native American collections in the possession or control of Federal agencies and museums generally describe the Native American unassociated funerary objects, sacred objects, and objects of cultural patrimony which inform consultation of museums and Federal agencies with tribes on repatriation. The Federal agency or museum is not expected to know, or make a decision in the summary, on whether the items in the summary will be NAGPRA items. Consultation occurs with interested tribes and culminates in a claim. Decisions to effectuate repatriation of unassociated funerary objects, sacred objects and objects of cultural patrimony are reflected in the published Notices of Intent to Repatriate (NIR). A NIR is claims-based.

As of March 31, 2011, National NAGPRA received summaries from 770 museums (397 private, 147 local and 226 state). Summaries have been received from 286 Federal agency units (1,539 institutions). Statements of “no summary required” have been received from 104 museums and 315 Federal agency units.

Prior to repatriating unassociated funerary objects, sacred objects, or objects of cultural patrimony, museums and Federal agencies must publish a Notice of Intent to Repatriate in the Federal Register. Twelve (12) such notices were published between October 1, 2010 and March 31, 2011, for a total of 531 published Notices of Intent to Repatriate, accounting for 148,782 unassociated funerary objects (increase of 2,567 objects), 4,321 sacred objects (increase of 7 objects), 962 objects of cultural patrimony (increase of 4 objects), and 1,217 sacred objects/objects of cultural patrimony (increase of 7 objects).

There is a continuing obligation to comply with NAGPRA. Museums and Federal agencies receiving a new collection, or having collections associated with newly recognized Indian tribes, are to prepare or update inventories within 2 years and summaries within 6 months. If the museum receives Federal funds for the first time, summaries are due in 3 years and inventories in 5 years.

For more information on inventories and summaries, contact Mariah Soriano (Mariah_Soriano@nps.gov), and for notices, contact Jaime Lavallee, (Jaime_Lavallee@contractor.nps.gov).

Grants

There are two types of NAGPRA grants awarded to museums and tribes. Competitive grants provide up to \$90,000 to fund projects for consultation on the identity and cultural affiliation of items. Grants of up to \$15,000 each are awarded on a non-competitive basis throughout the year to cover costs of repatriation.

For FY2011, the grant application deadline for consultation/documentation grants was March 2, 2011. Repatriation grants are received on a rolling basis. Thus far this year a total of 46 grants applications have been received: 37 consultation/documentation proposals and 9 repatriation funding requests. Of these, 26 are from Indian tribes and Native Hawaiian organizations and 20 are from museums. The total amount of the requests for grants thus far is \$2,870,164.

Grant applications for consultation/documentation projects are reviewed by an outside panel. In FY2011, the panel met on May 16-17, 2011. Beginning this year, grant applications were reviewed via an online system, in which panelists entered their comments. Each applicant will receive an individualized letter from the grants coordinator containing the feedback obtained from the panel to assist applicants in preparing better grant proposals in the future and in administering successful projects. The priority list for funding projects will be forwarded to the Assistant Secretary for Fish and Wildlife and Parks, who will make the awards to the tribes and museums. Awards will likely be made in July.

FY2009 grantees are two-thirds of the way through their grant cycle. Grantees will be submitting their final reports by July 31, 2011. FY2010 grantees will submit their second interim report June 30, 2011. The final report form was modified in 2008 to request quantitative and qualitative data regarding the number of notices, repatriations, trainings and community partnerships resulting from the grant project. Staff is beginning to compile the data which will allow the NAGPRA grants program to better assess the impact of grants on the repatriation process. The interim reports assist the grants coordinator to help the award recipient along the way through the project and detect problems early that could otherwise result in an incomplete grant project and loss of funds.

The National NAGPRA Program grants coordinator offers assistance to grant recipients, starting with project development, then through the application process, and all the way to project completion. For more information on grants, contact Sangita Chari, grants coordinator, National NAGPRA, (Sangita_Chari@nps.gov).

Civil Penalties

The civil penalties rule (43 C.F.R. 10.12) was published in 1997 as an interim rule, and in 2003 as a final rule. In May 2005, the Secretary of the Interior issued a Secretarial Order placing responsibility for civil penalties within the National NAGPRA Program to provide staff support to the Assistant Secretary for Fish and Wildlife and Parks. The NAGPRA civil penalty coordinator, who serves in the National NAGPRA Program, and a National Park Service law enforcement agent began working as a team and providing staff support to the Assistant Secretary in FY2006.

In the first half of FY2011:

- 11 allegations of failure to comply, against 10 museums, were received
- 1 count of failure to comply was investigated, and was found to be unsubstantiated
- civil penalties were assessed against 3 museums, in the amount of \$6,689.34
- civil penalties were collected from 2 museums, in the amount of \$6,250

For more information on civil penalties, contact David Tarler, enforcement coordinator, National NAGPRA, (David_Tarler@nps.gov).

Review Committee

The members at the beginning of FY2011 for the Review Committee were: Mr. Dan Monroe, Dr. Alan Goodman, Mr. Adrian John, Mr. Eric Hemenway, Dr. Sonya Atalay, Mr. Mervin Wright, and Dr. Rosita Worl. The Review Committee charter was renewed in November 2010, and the holdover provision for Review Committee members whose terms expired, but who had not been replaced, was not inserted, making prompt filling of expired terms critical.

On April 28, 2011, the Secretary of the Interior appointed Dr. Alexander “Alec” Wade Barker and Linda Lee “Cissy” Kuuleilani Farm, Esq., to the Review Committee. They were appointed from a list comprised of nominees from national museum and science organizations. For background information on the new members, go to www.nps.gov/nagpra. The new members fill the expired terms of Dan Monroe and Alan Goodman. We thank Dan and Alan for the energy, talent and devotion that they brought to the Review Committee in service to the public.

On November 17-18, 2010, the Review Committee met in Washington, DC. The Review Committee heard two disputes. Minutes of the meeting and a transcript can be found at www.nps.gov/nagpra. Notices of the meetings scheduled for June 21-22, 2011, at Syracuse University College of Law, in Syracuse, NY, and November 8-9, 2011, at the National Judicial College, in Reno, NV, were published in the Federal Register on November 16, 2010 and March 4, 2011, respectively. Meeting notices, agendas and meeting materials for upcoming meetings are to be found on the National NAGPRA Program website. Minutes of past

meetings are retained on the website, although transcripts are posted on the website for the immediate past meeting only due to size. Copies of past meeting transcripts may be obtained from the National NAGPRA Program at NAGPRA_info@nps.gov.

David Tarler serves as the Review Committee's Designated Federal Officer. The DFO complies with all filings required by the Federal Advisory Committee Act (FACA). For more information on the Review Committee, contact David Tarler, Designated Federal Official (David_Tarler@nps.gov).

Excavations and Discoveries

NAGPRA requires that the ownership or control of Native American cultural items, which are excavated and removed from Federal or tribal lands after November 16, 1990, be subject to disposition in a priority order specified in the Act.

National NAGPRA has responsibilities under the excavations and discoveries section of the law to maintain the records of notices of intended disposition published twice in newspapers by the land-manager.

To date 111 pairs of notices have been published, an increase of six (6) pairs of notices during FY2011. Agencies are required to update the National NAGPRA Program on their dispositions. A database of these notices is available at: <http://grants.cr.nps.gov/nid/index.cfm>

Program Databases

The Program continues to review and to update summary and inventory records submitted by museums and Federal agencies. This includes, but is not limited to, reconciling records and notices and, as appropriate, updating the culturally unidentifiable records to reflect subsequent cultural affiliations. The most current project underway, which began in April 2011, is digitization of NAGPRA summaries into an electronic repository. Thus far, 169 summaries have been scanned, and the electronic repository is 15% complete. Once a summary is digitized, it is reviewed for completeness, entered in the Summaries Database, and then archived in a repository stored in the Program server. Under the supervision of the Database Coordinator, this project is being accomplished with the assistance of Alayna Rasile, a NAGPRA Summer Intern. Ms. Rasile completed her B.A. in cultural geography at the University of Oregon, where she graduated magna cum laude in 2010. Her interest in NAGPRA stems from working closely with the White Mountain Apache Tribe on a collaborative cultural and historical atlas project funded by the National Science Foundation.

Culturally Unidentifiable Human Remains Database

As part of providing administrative support for the Review Committee, National NAGPRA has compiled the Review Committee's inventory of culturally unidentifiable (CUI) human remains, as required by 25 U.S.C. 3006 (c)(5). National NAGPRA has entered 730 inventories from 668 institutions containing determinations of culturally unidentifiable Native American human remains accounting for 125,671

individuals for whom cultural affiliation has not yet been determined and 939,385 funerary objects associated with those individuals. The number of CUI subsequently culturally identified to date is 5,544 and the number of CUI transferred by a disposition to a tribe is 3,960 individuals thus far in FY2011, for a total of 9,504. In 2010, regulations were promulgated on the process for the disposition of CUI with a “tribal land” or “aboriginal land” provenience. Pending regulations that will specify a process for disposition of CUI without a tribal land or aboriginal land provenience, requests for recommendations for disposition can be presented to the Review Committee which, in turn, makes recommendations to the Secretary of the Interior. Notices of Inventory Completion for disposition are published upon receipt of Secretarial authorization to allow 30 days for competing claims to be lodged prior to a transfer of control.

Culturally Affiliated Human Remains Database

In 2010, National NAGPRA launched the Culturally Affiliated Inventories Database. The database is offered to support consultation efforts and provide information that may assist in the cultural affiliation of Native American human remains listed on the database of culturally unidentifiable Native American human remains. Many of the Native American human remains described in the database have been culturally affiliated as a result of consultation with tribes and Native Hawaiian organizations. All individuals on this database should be represented in a Notice of Inventory Completion. Thus far in FY2011, the database includes 531 inventories and accounts for 53,816 Native American human remains and 1,125,899 associated funerary objects inventoried by 451 museums and Federal agencies.

Summaries Database

Developed and launched in FY2010, the database provides the name of the tribe(s) receiving a copy of a summary from the museum or Federal agency.

Notices of Intended Disposition Database

This database, launched in FY2010, completes the process for disclosure and public access of NAGPRA compliance documents. It contains information on discoveries on Federal and tribal lands after November 16, 1990. The Federal agency official sends copies of published Notices of Intended Disposition to the National NAGPRA Program, and this information is entered into the database.

Native American Consultation Database (NACD)

The NACD is a tool to identify a current official contact for Indian tribes, Alaska Native villages and corporations, and Native Hawaiian organizations. Names and addresses of tribal leaders are entered from the Bureau of Indian Affairs Tribal Leaders Directory. Maps showing the location of Indian reservations, Indian land claims, and military bases are available to provide information that can be used during consultation.

Notices of Inventory Completion (NIC) Database

The NIC Database is a searchable library of published Federal Register notices pertaining to Native American human remains and associated funerary objects.

Notices of Intent to Repatriate (NIR) Database

The NIR Database is a searchable library of published Federal Register notices pertaining to Native American unassociated funerary objects, sacred objects, and objects of cultural patrimony.

For more information on data collection and reporting capabilities contact, Mariah Soriano (Mariah.Soriano@nps.gov).

Regulations

As of March 30, 2011, there are four regulatory items in process:

- a. Amendment to delete the definition of “Indian tribe”: An interim final rule is under review at the Department of the Interior, the publication of which will include an opportunity for comment. The comments received will inform further amendments.
- b. Proposed rule for the reserved section 43 CFR 10.7, disposition of unclaimed Native American human remains excavated after November 16, 1990, from Federal lands: This is under review at the Department of the Interior, prior to publication. Upon publication there will be a comment period before the rule is published in final.
- c. Minor (technical) amendments to the rules: Proposed amendments are under review at the Department of the Interior prior to publication. Publication of the proposed minor amendments will include an opportunity for comment before the amendments are published as final.
- d. Substantive amendments to the NAGPRA rules at 43 CFR Part 10: The initial NAGPRA regulations were promulgated in 1995. Since that time the National NAGPRA Program has been made aware of problematic aspects of the regulations by attorneys at the Department of the Interior and the Department of Justice, and numerous constituents of NAGPRA. Problems include ambiguities, lack of definition or clarity on the process and a lack of clear timelines for compliance. The confusion or lack of guidance in the regulations has been identified as a barrier to the process, or in the worst case, a precursor to litigation. Development of amendments to 43 CFR Part 10 is in the pre-rule-making phase of gathering input from NAGPRA communities. On March 25, the National NAGPRA Program conducted a telephonic, government-to-government meeting with Indian tribes to receive input on whether any of the regulations codified at 43 CFR Part 10 should be amended. Notice of the meeting was accomplished by direct mail to tribes and Native Hawaiian organizations. There were 73 representatives of 52 tribes on the call and eight (8) presentations. On May 19, a public, telephonic meeting was held to provide anyone who wished with an opportunity to provide input on the NAGPRA regulations. Notice of the call was made to about 2,000 addresses on the National NAGPRA Program email list and a

posting on the National NAGPRA Program website. There were 137 participants on the call and 12 presentations. Comments were solicited from Federal agencies at a meeting on March 24. The meeting was comprised of those NAGPRA coordinators assigned such duties by their Federal agency. Notice of the meeting was given by individual email. The Federal agency NAGPRA coordinators were given a background on the anticipated review by Department of the Interior attorneys, and were invited to submit comments of their agency by May 1, for transmission to the NAGPRA Review Committee. Discussion of the review of the published rules is scheduled for the June 21-22, 2011 meeting of the Review Committee. A report summarizing input received thus far will be prepared for the Review Committee prior to the June meeting in Syracuse, and will be posted on the National NAGPRA Program website. The National NAGPRA Program website has posted a July 1 deadline for anyone wishing to submit comments for consideration during the review. After that date, should any proposed rules ultimately be published in the Federal Register, there will be an opportunity for comment on the rules as proposed.

For more information on regulations, contact David Tarler, Program Officer, National NAGPRA, (David_Tarler@nps.gov).

Technical Assistance

National NAGPRA recognizes the importance of providing regular and accessible NAGPRA training to help further understanding of the statute, regulations, and their requirements. National NAGPRA also seeks to raise public awareness of NAGPRA and NAGPRA compliance responsibilities through a variety of outreach activities.

Training

National NAGPRA offers both general and specialized NAGPRA training, with an emphasis on quality, accessibility, and cost-effectiveness for participants. In this reporting period National NAGPRA has partnered with the National Preservation Institute to provide training open to all tribes, museums, Federal agencies and the public. National NAGPRA also provides specialized training designed to address particular NAGPRA implementation issues as requested by a host tribe, museum, or Federal agency. Training has been offered as part of larger conferences and as independent sessions of one to three days in length.

No public training was conducted on June 20, prior to the Review Committee meeting in Syracuse. The next general training will be given on November 7, in Reno, Nevada, just prior to the Review Committee meeting there.

Training and Outreach:

U.S. Department of the Interior
National Park Service
National NAGPRA

- Training in FY2011: October 1, 2011 – May 31, 2011

DATE	STATE	SPONSOR & TITLE	# ATTENDED
Oct. 4	AZ	NPI – “Determining Cultural Affiliation”	35
Oct. 5	AZ	NPI – “NAGPRA Summaries, Inventories and Federal Register Notices”	29
Oct .6-7	AZ	NPI – Writing and Managing a NAGPRA Grant	23
Oct. 28	webinar	National NAGPRA Program: “International Repatriation”	53
Nov. 15 -16	DC	NPS and GWU - NAGPRA at 20: Conversations about the Past, Present and Future of NAGPRA	260
Nov. 30- Dec. 3	SC	Dept. of the Interior, Dept. of Justice, and Dept. of Homeland Security: “Cultural Property: Criminal/Civil Enforcement Seminar”	26
Jan 19	DC	ANA Conference, Information booth	12
Jan.22	webinar/OK	Peoria Tribe of Oklahoma Repatriation Committee: NAGPRA Fundamentals and Using NAGPRA Databases	5
Feb. 24	webinar	NAGPRA Notices	54
March 23	webinar	NAGPRA Databases: An Overview	34
April 13	webinar	NAGPRA Open Forum	46
May 4-5	MN	NPI – Writing and Managing a NAGPRA Grant	17
May 11	WA	NPI – Determining Cultural Affiliation	17
May 12	WA	NPI – NAGPRA Notices: Types, Process, Content	16
May 18	webinar	NAGPRA Databases: Culturally Unidentifiable and Culturally Affiliated Inventories	16
May 22	TX	Association of American Museums 2011 Annual Meeting, NAGPRA: The CUI Rule - Application and Implementation	40

U.S. Department of the Interior
National Park Service
National NAGPRA

Thus far in FY2011, National NAGPRA has provided training for 778 individuals.

For more information on National NAGPRA training, see <http://www.nps.gov/nagpra/training>, or contact David Tarler, (David_Tarler@nps.gov)

Outreach

NAGPRA strives to maintain an exemplary standard of responsiveness to inquiries from the public and the media. National NAGPRA monitors two public e-mail addresses, NAGPRA_Info@nps.gov and NAGPRA_Grants@nps.gov. Both e-mail addresses provide an effective way for members of the public to direct inquiries to the program. The redesigned National NAGPRA Website also features a “Press” page, with links to documents on the Website available for use as background by members of the media. All National NAGPRA staff respond to telephone inquiries from the media, tribes, museums, Federal agencies and the public and provide technical information. On request, National NAGPRA Program staff have facilitated training discussions on focused points in the NAGPRA process to assist multiple parties who have reached an impasse in their negotiations. The key to value in these discussions is the participation of all parties to the issue. National NAGPRA is neutral and does not offer an opinion of actions, but rather, clarifies the process so that the parties can best work together.

Website

The National NAGPRA Website (<http://www.nps.gov/nagpra>) continues to be the program’s primary medium for electronic communication. The website provides an opportunity to supply training and technical guidance on a range of NAGPRA matters. Additional items are under development, including a redesign of frequently asked questions and web posting of training materials and video training.

For more information about the National NAGPRA website, contact Mariah Soriano, National NAGPRA Program Officer at Mariah_Soriano@nps.gov.

Illegal Trafficking

NAGPRA provides criminal penalties for violations of 18 U.S.C. 1170, Illegal Trafficking in Native American Human Remains and Cultural Items. The cases are investigated by Federal law enforcement agents and handled by the United States Attorney’s offices throughout the country. National NAGPRA offers training for attorneys and agents and provides technical assistance upon request. For more information on cultural property law and enforcement, contact David Tarler (David_Tarler@nps.gov).

This report is submitted by the National NAGPRA Program:

Sherry Hutt
Robin Coates
Sangita Chari
Mariah Soriano
David Tarler

The program is assisted by contractors:

Jaime Lavallee
Lesa Koscielski

Attachments:

Notices of Intended Disposition (Federal Land Excavations)
Notice Publication by Fiscal Year, FY1992- mid-year FY2011
Culturally Affiliated in Notices of Inventory Completion Charts
Repatriation and Disposition Statistics

Notices of Intended Disposition (Federal Land Excavations)

	Published	MNI	AFO	UFO	SO	OCP	SO & OCP
Total:	111	978	8,708	64	0	3	0

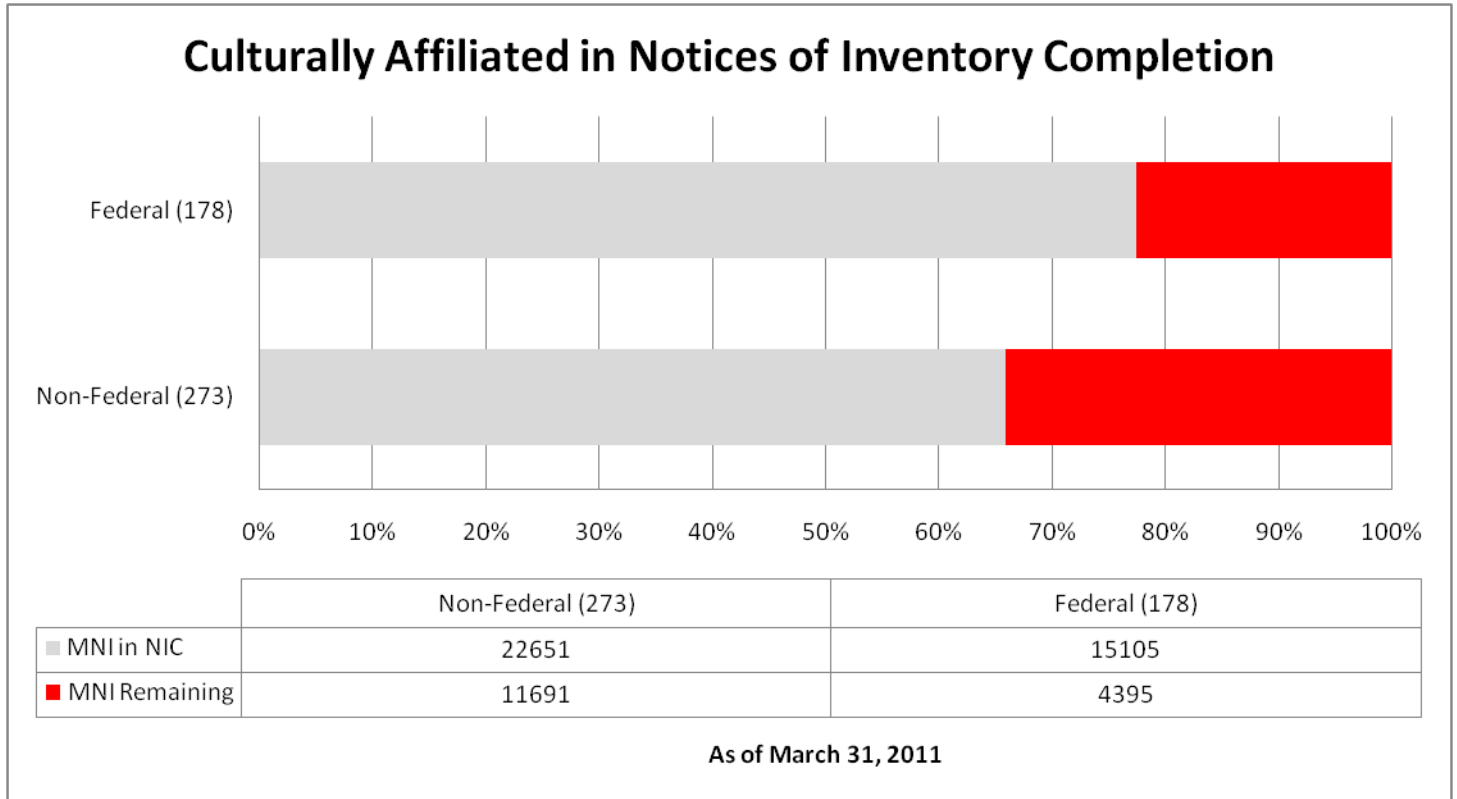
Notice Publication by Fiscal Year (Collections) – FY1992 to mid-Year FY2011

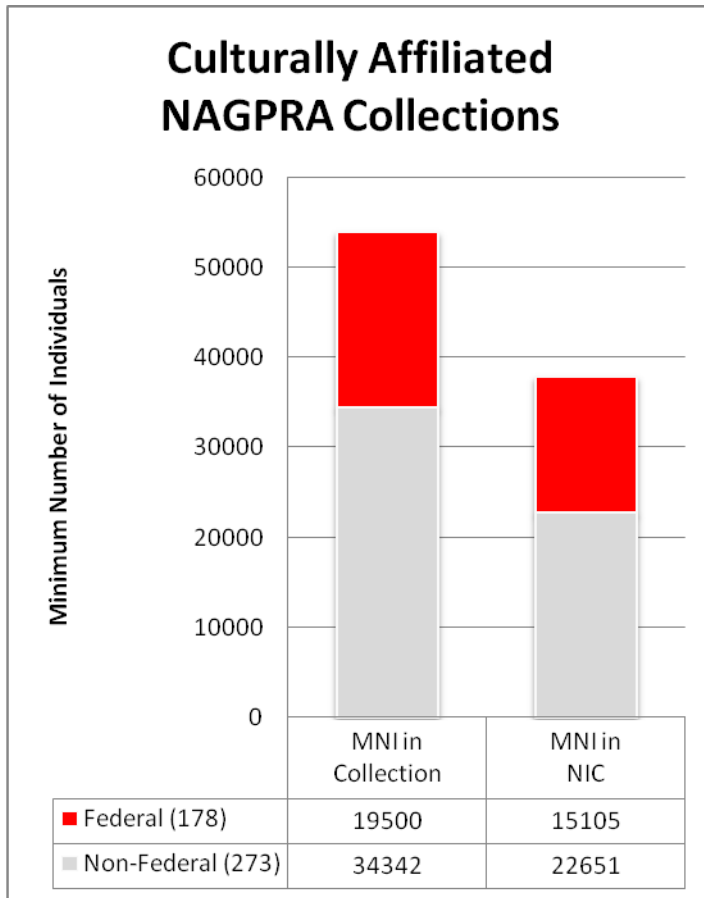
Year	Published	MNI	AFO	UFO	SO	OCP	SO & OCP	UCI	Rec'v
1992	2	15	12,225	0	0	0	0		3
1993	14	40	60,071	0	1	0	7		14

U.S. Department of the Interior
National Park Service
National NAGPRA

1994	13	1,851	271	31,681	1	1	1		19
1995	36	806	18,710	6	243	3	4		37
1996	59	2,292	116,002	32	91	17	10		198
1997	122	1,194	49,392	5,061	116	67	92		187
1998	82	5,280	31,082	2,484	14	62	165		202
1999	108	6,437	31,263	680	106	70	78		156
2000	110	2,027	21,982	3,245	552	11	28		186
2001	199	2,959	167,247	25,583	6	25	5		130
2002	143	3,157	20,011	5,903	110	3	121		109
2003	85	666	31,393	1,195	101	4	135		83
2004	103	1,524	13,851	14,294	37	9	13		63
2005	108	2,355	60,349	1,986	2,183	3	5		77
2006	100	1,373	36,045	10,303	9	6	45		96
2007	108	747	15,619	27,036	28	22	64	215	135
2008	180	3,730	85,955	7,962	173	78	33		146
2009	200	2,204	227,854	6,712	532	567	16	77	159
2010	152	1,632	9,063	2,052	11	10	388		140
2011	50	989	11,505	2,567	7	4	7		60
Total	1,974	41,278	1,019,890	148,782	4,321	962	1,217	292	2,200

Culturally Affiliated in Notices of Inventory Completion Charts





Repatriation and Disposition Statistics

Control Transfer/Repatriation to Tribes on Notices of Inventory Completion as reported* to the National NAGPRA Program:

Agency	MNI Repatriated	AFO Repatriated
Museums	895	11961
Federal Agencies	8987	656644
Total	9882	668605

*required by federal agencies; voluntarily by museums